

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
SPARTANBURG DIVISION

|                                      |   |                      |
|--------------------------------------|---|----------------------|
| Rug & Home, Inc.,                    | ) |                      |
|                                      | ) |                      |
| Plaintiff,                           | ) | <b>ORDER</b>         |
| vs.                                  | ) |                      |
|                                      | ) | C/A No. 7:05-368-HMH |
| Rugs International LLC,              | ) |                      |
| 123Rugs.com LLC,                     | ) |                      |
| Daisy Outdoor Advertising, Inc., and | ) |                      |
| Jodean Lemmons, Jr. an individual,   | ) |                      |
|                                      | ) |                      |
| Defendants.                          | ) |                      |

This matter is before the court on Rug & Home, Inc.’s (“Rug & Home”) request for an extension of time to retain counsel. On April 28, 2005, the court disqualified Rug & Home’s counsel due to a conflict of interest. On May 27, 2005, Rug & Home was ordered to retain new counsel and notify the court who has been retained within twenty (20) days of the date of the order (“May Order”). Rug & Home sent a letter to the court on June 7, 2005, indicating that it has been unable to obtain new counsel and requesting an additional thirty (30) days from the deadline of June 18, 2005, set forth in the May Order.

“[A] corporation may appear in the federal courts only through licensed counsel.”

Rowland v. California Men's Colony, Unit II Men's Advisory Counsel, 506 U.S. 194, 201-02 (1993). As such, the court orders that Rug & Home retain new counsel and notify the court who has been retained within twenty (20) days of the date of this order. Further, the court dismisses Rug & Home’s motion for preliminary injunction without prejudice and with leave to refile after new counsel has been retained. Moreover, failure to retain new counsel within the time period

set forth in this order will result in dismissal of this action for failure to prosecute pursuant to Rule 41 of the Federal Rules of Civil Procedure.

Therefore, it is

**ORDERED** that Rug & Home retain new counsel and notify the court who has been retained within twenty (20) days of the date of this order. It is further

**ORDERED** that Rug & Home's motion for preliminary injunction is dismissed without prejudice and with leave to refile after new counsel has been retained.

**IT IS SO ORDERED.**

s/ Henry M. Herlong, Jr.  
United States District Judge

Greenville, South Carolina  
June 9, 2005